

by specific citation to the record. After each paragraph, the word "response" must be inserted and a blank space provided that is reasonably calculated to allow the non-moving party sufficient space to respond to the assertion that the fact is undisputed. A copy of the statement of undisputed material facts must also be provided to opposing counsel in an editable electronic format. The requirement that a statement of undisputed material facts in the described format must accompany any motion for summary judgment applies to *pro se* parties. *Pro se* parties are excused from providing a copy of the statement of undisputed material facts to opposing counsel in an editable electronic format.

(c) **Response to Statement of Facts.** Any party opposing the motion for summary judgment must respond to each fact set forth by the movant by either:

- (1) Agreeing that the fact is undisputed;
- (2) Agreeing that the fact is undisputed for the purpose of ruling on the motion for summary judgment only; or
- (3) Demonstrating that the fact is disputed. Each disputed fact must be supported by specific citation to the record.

The response must be made on the document provided by the movant or on another document in which the non-movant has reproduced the facts and citations verbatim as set forth by the movant. In either case, the non-movant must make a response to each fact set forth by the movant immediately below each fact set forth by the movant. Such response must be filed with the papers in opposition to the motion for summary judgment. In addition, the non-movant's response may contain a concise statement of any additional facts that the non-movant contends are material and as to which the non-movant contends there exists a genuine issue to be tried. Each such disputed fact must be set forth in a separate, numbered paragraph with specific citations to the record supporting the contention that such fact is in dispute. A copy of the statement of additional disputed facts must also be provided to opposing counsel in an editable electronic format. *Pro se* parties are excused only from providing a copy of the statement of additional disputed material facts to opposing counsel in an editable electronic format, and such *pro se* parties must otherwise comply with the requirements of this section.

(d) **Reply Statement.** If the non-moving party has asserted additional disputed facts, the moving party must file a reply statement responding to each of the additional disputed facts. The reply statement of the moving party must be filed within fourteen (14) days of the filing of the response of the non-moving party.

(e) **Definition of Record.** For purposes of this Rule, the term "record" shall include deposition transcripts, answers to interrogatories, affidavits, requests for admissions, and documents filed in support of or in opposition to the motion or documents otherwise in the court file.

(f) **Failure to Respond.** If a timely response to a moving party's statement of material facts, or a non-moving party's statement of additional facts, is not filed within the time periods provided by these rules, the asserted facts shall be deemed undisputed for purposes of summary judgment.

LR65.01 – APPLICATIONS FOR TEMPORARY RESTRAINING ORDER

(a) **Written Motion.** Any request for a Temporary Restraining Order (TRO) must be made by written motion separate from the complaint commencing the case.

- (b) **Written Complaint and Memorandum.** Each motion for a TRO must be accompanied by a separately filed affidavit or verified written complaint, a memorandum of law, and a proposed order.
- (c) **Fed.R.Civ.P. 65.** A motion for a TRO must be made in strict compliance with Fed.R.Civ.P. 65. If the movant is not represented by counsel, the *pro se* moving party must certify in writing the efforts made to give notice of the request for a TRO and the reasons why notice should not be required.
- (d) **Request for a Hearing.** If an emergency hearing is requested in connection with a motion for a TRO, counsel for the moving party must contact the Clerk in advance of the filing of the motion to request the scheduling of a hearing.
- (e) **Disposition of Motion for TRO.** A motion for a TRO is presented to the District Judge assigned to the case if that Judge is available. If the assigned District Judge is not available, the motion for a TRO may be disposed of by some Judge other than the Judge assigned to the case. If the motion for a TRO is decided by a District Judge other than the Judge assigned to the case, the District Judge deciding the motion for a TRO may, in that Judge's discretion, keep the case or return it to the assigned Judge for all further matters.

LR67.01 – DEPOSIT IN COURT

- (a) **Acceptance by Clerk.** Except with respect to garnishments, litigation in which the United States is a party, or matters on the Central Violations Bureau ("CVB") docket (as provided for in LCrR 58), the Clerk shall not, unless authorized by order of the Court, accept payment of judgments.
- (b) **Certificate of Receipt of Judgment by Counsel.** Counsel shall upon receipt of payment of a judgment, file a certificate of receipt of payment and satisfaction of judgment.
- (c) **Deposit or Registry Fund Orders.** All orders presented to the Court with reference to the deposit or registry funds must contain the following provisions:

IT IS ORDERED that counsel presenting this order serve a copy thereof on the Clerk of this Court or his Chief Deputy personally. Absent the aforesaid service, the Clerk is hereby relieved of personal liability relative to compliance with this order.

IT IS FURTHER ORDERED that all funds received shall be deposited in the Court Registry Investment System (CRIS) administered by the Administrative Office of the United States Courts pursuant to 28 U.S.C. § 2045.

IT IS FURTHER ORDERED that counsel designate the name and address of the individual, or individuals, who are to receive the monies in the order of disbursement of funds. Social Security numbers shall not be included in documents to be filed but shall be provided to the Clerk's Office upon request. Corporations, associations and all others will supply the employer identification number with the correct title and address upon request of the Clerk's Office.



Rule 65 – Injunctions and Restraining Orders

(a) Preliminary Injunction.

(1) *Notice.* The court may issue a preliminary injunction only on notice to the adverse party.

(2) *Consolidating the Hearing with the Trial on the Merits.* Before or after beginning the hearing on a motion for a preliminary injunction, the court may advance the trial on the merits and consolidate it with the hearing. Even when consolidation is not ordered, evidence that is received on the motion and that would be admissible at trial becomes part of the trial record and need not be repeated at trial. But the court must preserve any party's right to a jury trial.

(b) Temporary Restraining Order.

(1) *Issuing Without Notice.* The court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if:

(A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and

(B) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.

(2) *Contents; Expiration.* Every temporary restraining order issued without notice must state the date and hour it was issued; describe the injury and state why it is irreparable; state why the order was issued without notice; and be promptly filed in the clerk's office and entered in the record. The order expires at the time after entry—not to exceed 14 days—that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension. The reasons for an extension must be entered in the record.

(3) *Expediting the Preliminary-Injunction Hearing.* If the order is issued without notice, the motion for a preliminary injunction must be set for hearing at the earliest possible time, taking precedence over all other matters except hearings on older matters of the same character. At the hearing, the party who obtained the order must proceed with the motion; if the party does not, the court must dissolve the order.

(4) *Motion to Dissolve.* On 2 days' notice to the party who obtained the order without notice—or on shorter notice set by the court—the adverse party may appear and move to dissolve or modify the order. The court must then hear and decide the motion as promptly as justice requires.

(c) **Security.** The court may issue a preliminary injunction or a temporary restraining order only if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined or restrained. The United States, its officers, and its agencies are not required to give security.

(d) **Contents and Scope of Every Injunction and Restraining Order.**

(1) *Contents.* Every order granting an injunction and every restraining order must:

(A) state the reasons why it issued;

(B) state its terms specifically; and

(C) describe in reasonable detail—and not by referring to the complaint or other document—the act or acts restrained or required.

(2) *Persons Bound.* The order binds only the following who receive actual notice of it by personal service or otherwise:

(A) the parties;

(B) the parties' officers, agents, servants, employees, and attorneys; and

(C) other persons who are in active concert or participation with anyone described in Rule 65(d)(2)(A) or (B).

(e) **Other Laws Not Modified.** These rules do not modify the following:

Case 2:25-cv-00034 Document 8-1 Filed 05/21/25 Page 4 of 19 PageID #: 141
(1) any federal statute relating to temporary restraining orders or preliminary injunctions in

actions affecting employer and employee;

(2) 28 U.S.C. §2361, which relates to preliminary injunctions in actions of interpleader or in the nature of interpleader; or

(3) 28 U.S.C. §2284, which relates to actions that must be heard and decided by a three-judge district court.

(f) **Copyright Impoundment.** This rule applies to copyright-impoundment proceedings.

(As amended Dec. 27, 1946, eff. Mar. 19, 1948; Dec. 29, 1948, eff. Oct. 20, 1949; Feb. 28, 1966, eff. July 1, 1966; Mar. 2, 1987, eff. Aug. 1, 1987; Apr. 23, 2001, eff. Dec. 1, 2001; Apr. 30, 2007, eff. Dec. 1, 2007; Mar. 26, 2009, eff. Dec. 1, 2009.)

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Tennessee Civil Procedure Rule 65.01(a) is about injunctive relief, which can be obtained through a restraining order, temporary injunction, or permanent injunction:

- **Restraining order:** Restricts the doing of an act
- **Injunction:** Can restrict or direct the doing of an act
- **Duration:** Injunctions typically last 15 days from the date of entry, but can be extended for good cause or with the consent of the opposing party



Hale v. Kentucky was a 1938 Supreme Court case that overturned the conviction of an African American man for murder. The case was brought because the lower court in Kentucky had systematically excluded Black people from serving on the jury. @

Case details: @

- The case was brought by Joe Hale, a 19-year-old African American man who was convicted of murdering a white man in Paducah, Kentucky in 1936.
- The NAACP represented Hale, including Thurgood Marshall, Leon A. Ransom, and Charles H. Houston.
- The case was decided on the basis that the Fourteenth Amendment's guarantee of equal protection of the laws had been violated.

**Hale v. Commonwealth of
Kentucky (case)**

Sep 29, 2017 — Hale v.

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Justia › U.S. Law › U.S. Case Law ›
U.S. Supreme Court › Opinions by Volume ›
Volume 373 › Brady v. Maryland

Brady v. Maryland, 373 U.S. 83 (1963)

Overview Opinions Materials

Granted:

October 8, 1962

Argued:

March 18, 1963

Argued:

March 19, 1963

Decided:

May 13, 1963

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18 U.S. Code § 241 - Conspiracy against

115

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Whoever conspires to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession or District, with the exercise or attempt of any right or privilege secured to him by the Constitution or laws of the United States, shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both.

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Sep 29, 2017 — Hale v.

**Hale v. Kentu
Wikipedia**

Kentucky. ... Hale



42 U.S. Code § 1985 - Conspiracy to interfere with civil rights

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(1) PREVENTING OFFICER FROM PERFORMING DUTIES

If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place,



as to molest, interrupt, hinder, or
impede him in the discharge of his
official duties;

**(2) OBSTRUCTING JUSTICE; INTIMIDATING
PARTY, WITNESS, OR JUROR**

If two or more persons in any State
or Territory conspire to deter, by
force, intimidation, or threat, any
party or witness in any court of the
United States from attending such
court, or from testifying to any
matter pending therein, freely, fully,
and truthfully, or to injure such
party or witness in his person or
property on account of his having
so attended or testified, or to
influence the verdict, presentment,
or indictment of any grand or petit
juror in any such court, or to injure
such juror in his person or property
on account of any verdict,
presentment, or indictment lawfully
assented to by him, or of his being

or having been such juror; or if two



enforcing, or attempting to enforce,
the right of any person, or class of
persons, to the equal protection of
the laws;

**(3) DEPRIVING PERSONS OF RIGHTS OR
PRIVILEGES**

If two or more persons in any State
or Territory conspire or go in
disguise on the highway or on the
premises of another, for the
purpose of depriving, either directly
or indirectly, any person or class of
persons of the equal protection of
the laws, or of equal privileges and
immunities under the laws; or for
the purpose of preventing or
hindering the constituted
authorities of any State or Territory
from giving or securing to all
persons within such State or
Territory the equal protection of the
laws; or if two or more persons
conspire to prevent by force,

**U.S. District Court
Middle District of Tennessee (Cookeville)
CIVIL DOCKET FOR CASE #: 2:25-cv-00034**

Webb v. Gardner Mayberry et al
Assigned to: District Judge Waverly D. Crenshaw, Jr
Cause: 42:1985 Conspiracy to Interfere with Civil Rights

Date Filed: 05/01/2025
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Gregory Ryan Webb

represented by **Gregory Ryan Webb**
329 East Tanner
Waverly, IL 62692
865-297-6641
PRO SE

V.

Defendant

Ivy Jo Gardner Mayberry
*Attorney for Tennessee Dept. Children
Services*

Defendant

Lewana Castillo Webb
Correctional Officer

Defendant

Kevin Bryant
Attorney

Defendant

Avery York, Jr.

Defendant

Cumberland County Sheriff Dept.

Defendant

**Cumberland County Probate & Family
Clerk**

Defendant

Cumberland County Circuit Court Clerk

Defendant

John Tyler Merchant

Defendant

Jessica Danielle Hill


Defendant

Josh Tollett

Previous Employer

Defendant

13th District DA's Office

Date Filed	#	Docket Text
05/01/2025	<u>1</u>	COMPLAINT against 13th District DA's Office, Kevin Bryant, Cumberland County Circuit Court Clerk, Cumberland County Probate & Family Clerk, Cumberland County Sheriff Dept., Ivy Jo Gardner Mayberry, Jessica Danielle Hill, John Tyler Merchant, Josh Tollett, Lewana Castillo Webb, Avery York, Jr., filed by Gregory Ryan Webb. (Attachments: # <u>1</u> Attachment - Business Entity Disclosure, # <u>2</u> Attachment - Proposed Summons, # <u>3</u> Attachment - Civil Cover Sheet)(ch) (Entered: 05/01/2025)
05/01/2025	 <u>2</u>	APPLICATION for Leave to Proceed In Forma Pauperis by Gregory Ryan Webb. (ch) (Entered: 05/01/2025)
05/01/2025	<u>3</u>	NOTICE OF ADMINISTRATIVE ORDER NO. 217 to parties re obligation of counsel to keep Court apprised of current contact information. (ch) (Entered: 05/01/2025)
05/01/2025	<u>4</u>	NOTICE/INFORMATION regarding Consent of the Parties to the Magistrate Judge. (ch) (Entered: 05/01/2025)
05/01/2025	<u>5</u>	NOTICE of Business Entity Disclosure Statement filing requirement. (ch) (Entered: 05/01/2025)
05/01/2025		Notice mailed to pro se party regarding filing of new case (docket sheet & certificate of service form and Notice of Consent form included).(ch) (Entered: 05/01/2025)